

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CARL R. GREENE,

Plaintiff,

v.

PHILADELPHIA HOUSING AUTHORITY,

Defendants.

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: Civil Action No. 2:10-cv-04529-RB
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**DEFENDANT'S OBJECTIONS TO PORTIONS
OF THE DEPOSITION TESTIMONY OF CAROLYN GRIFFITH AMREIN**

Defendant Philadelphia Housing Authority ("PHA"), by and through its undersigned counsel, Kleinbard Bell & Brecker LLP, hereby submits its objections to portions of the videotaped deposition testimony of Carolyn Griffith Amrein pursuant to paragraph 10 of the Pretrial and Trial Procedures Before Judge Ronald L. Buckwalter.

As stated in PHA's Pretrial Memorandum, PHA has identified Ms. Griffith Amrein as a witness at trial and intends to present her testimony by videotape because she is unavailable for trial. PHA also has filed a motion seeking to use this videotaped deposition in lieu of Ms. Griffith Amrein's live testimony at trial. (*See* PHA's Motion *in Limine* for a Ruling That Certain Witnesses are Unavailable to Testify in Person at Trial and That Their Videotaped Deposition May be Used in Lieu of Their Live Testimony. (Docket No. 87). Portions of Ms. Griffith Amrein's testimony that were elicited by Plaintiff's counsel, however, should be excluded on the basis of relevancy and/or hearsay. Accordingly, as set forth below by reference to page and line

of the deposition transcript, PHA objects to the following portions of Ms. Griffith Amrein's testimony:¹

SPECIFIC OBJECTIONS

<u>PAGE/LINE OF DEPOSITION</u>	<u>BASIS FOR OBJECTION</u>
78:21 – 82:3	Irrelevant, Federal Rule of Evidence ("FRE") 402
85:20 – 86:6	This is an exchange between counsel and not testimony of the witness.
88:15 – 93:9	Irrelevant, FRE 402 Hearsay, FRE 802
93:10 – 94:9	This is an exchange between counsel and not testimony of the witness.
95:1 – 13	This is an exchange between counsel and not testimony of the witness.
96:2 – 99:21	This is an exchange between counsel and not testimony of the witness.
100:14 – 22	Objection to the form of the question because it is vague and ambiguous.
102:10 – 103:9	Irrelevant, FRE 402
103:10 – 105:16	This is an exchange between counsel and not testimony of the witness.
101:18 – 106:15	Irrelevant, FRE 402
107:3 – 108:19	Irrelevant, FRE 402
110:13 – 112:19	Irrelevant, FRE 402
115:11 – 17	This is an exchange between counsel and not testimony of the witness.

¹ Ms. Griffith Amrein was deposed on March 24, 2012. A copy of the complete transcript of Ms. Griffith Amrein's deposition, with exhibits, will be provided separately to the Court.

117:23 – 120:15	Irrelevant, FRE 402 Objection to the form of the questions because they are vague and ambiguous.
123:21 – 124:19	Irrelevant, FRE 402

Respectfully submitted,

/s/ Steven J. Engelmyer

Steven J. Engelmyer, Esquire

Eric J. Schreiner, Esquire

Lorena E. Ahumada, Esquire

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Dated: January 18, 2013

CERTIFICATION OF SERVICE

I, Lorena E. Ahumada, Esquire, hereby certify that on the date below I filed the foregoing Defendant's objections to portions of the testimony of Carolyn Griffith Amrein via the Court's ECF system. I further certify that on this same date, I caused a true and correct copy of the same to be served via the ECF system upon the following:

Clifford E. Haines, Esq.
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Counsel for Plaintiff Carl R. Greene

/s/ Lorena E. Ahumada
Lorena E. Ahumada, Esq.

Dated: January 18, 2013